

NEWINGTON TOWN PLAN AND ZONING

**Notice of Public Hearings
Wednesday, January 14, 2009
Town Hall – 131 Cedar Street**

**7:30 P.M.
Conference Room 3**

Notice is hereby given that the Newington Town Plan and Zoning Commission will hold a Public Hearing to consider the following:

- A. Petition 48-08 – Newington Plan and Zoning Commission applicant, 131 Cedar Street, Newington, CT 06111, Attention: Edmund Meehan, Town Planner, request for Zone Regulation proposed Section 6.13 Accessory Apartments, permitted in R-20 and R-12 Zone Districts by Special Exception. Continued from December 10, 2008

At this Hearing, written communications pertinent to the proposed Petitions will be received and interested persons may appear and be heard. Copies of the proposed Petitions are on file in the Office of the Town Planner's office for public inspections.

Submitted

Edmund J. Meehan
Town Planner

Legal Adv., The Herald January 2, 2009 and January 9, 2009

***SEE ATTACHED BELOW**

**PROPOSED ZONING REGULATION AMENDMENTS FOR ACCESSORY
APARTMENTS**

Section 6 SPECIAL REGULATIONS

Section 6.13 ACCESSORY APARTMENTS

Statement of Purpose: The commission recognizes the public need for a choice of housing types to accommodate the variety of households living in Newington. Accessory apartments are one housing type that can serve the shelter needs of small households. To address this need and protect the health, safety and welfare of existing single family neighborhoods the following Special Exception regulations are enacted.

- 6.13.1 The Commission may grant a special exception for one accessory apartment in an existing or proposed single-family dwelling located only in an R-20 or R-12 zone, subject to the following standards and conditions and the provisions of Section 5.2
- 6.13.2 The owner of the property subject to the permit shall reside on the property throughout the duration of the permit. The accessory apartment shall be limited to a maximum occupancy of two persons. The owner of the property may reside in the accessory apartment or in the principal residence.
- 6.13.3 The building shall be determined to be capable of being added to in a safe manner. An applicant for an accessory apartment special exception shall submit a Zoning Location Survey, Class A-2, verifying compliance with the zoning regulations, Section 4 Height, Area and Yard requirements.
- 6.13.4 An accessory apartment shall contain at least 500 square feet. Additions may be made to the side or rear of the single-family dwelling, but the new floor area for the accessory apartment shall not exceed 300 square feet. The accessory apartment shall not exceed 30% of the gross livable floor area of the entire structure excluding garages and basements. The remaining living area of the principal residence shall not be less than 900 sq. ft. Basements and garages shall not be used for an accessory apartment living unit.
- 6.13.5 The apartment shall have at least one means of its own outside access and at least one internal doorway connection into the principal dwelling unit. A floor plan layout showing the proposed means of access shall be submitted to the Building Official for review and approval. The outside access to the accessory apartment shall not front the adjacent public street unless otherwise approved by the Commission.
- 6.13.6 The architectural style of the single family residence shall be maintained.

Exterior stairs for a second floor living space shall not be visible from the street. Photos of the existing single family residence and drawings of proposed exterior changes shall be submitted as part of the application.

- 6.13.7 The accessory apartment shall not have more than one bedroom and shall be equipped with its own bath and kitchen. The accessory apartment shall have common utilities and shall not have separate metering devices. A floor plan showing the living area of both the principal residence and the accessory apartment identifying alterations, the location of internal doorway connection, additions and the sizes of each residence shall be submitted with the application.
- 6.13.8 Not more than three parking spaces shall be provided for the use of the principal dwelling unit and the accessory apartment unless otherwise approved by the Commission. This parking shall be in Section 6.1.1 (B).
- 6.13.9 An affidavit certifying ownership and occupancy signed by the owner of the premises stating that the owner will occupy one of the dwelling units shall be submitted with the application. The Commission may attach a time limit to a special exception when it determines that such a condition will protect adjacent property and the character of the neighborhood. If a time limit is made a condition of approval the special exception may be revoked for due cause after a public hearing. A request to renew the accessory apartment use or transfer it to another property owner shall require the approval of a new special exception.

Section 9 Definitions

Accessory Apartment: A separate living unit within the principal single-family dwelling but subordinate to the principal dwelling in terms of size and appearance. The accessory apartment shall have at least one internal doorway connection into the principal dwelling. The accessory apartment shall have common utilities with the principal dwelling and shall not have separate metering devices. The provision of a second kitchen in a single-family dwelling unit without a separate living unit is not an accessory apartment and is permitted subject to the required building permits.